

IN THE SENATE OF THE UNITED STATES.

MAY 28, 1860.—Ordered to be printed.

Mr. IVERSON made the following

REPORT.

[To accompany Joint Resolution S. 8.]

*The Committee on Claims, to whom was referred the joint resolution which passed the Senate on the 23d March, 1860, of the present session, "relating to the claim of George Fisher, late of Florida, deceased," together with an amendment in the nature of a substitute, which passed the House of Representatives on the ———, having had the same under consideration, ask leave to report :*

That they have carefully compared both propositions, that of the Senate with that of the House of Representatives, and find that there is no substantial difference between them, but that in spirit they are perfectly identical. If there is any apparent discrepancy at all, it consists in the fact that while the original resolution of the Senate prescribes a specific mode or manner of adjustment, the House proposition declines to express any opinion as to the mode of settlement, regarding it as a mere matter of detail, which may very properly be left to the judgment of the Secretary.

The House amendment does not conflict with any duty imposed or required to be performed by the resolution of the Senate, it is perfectly competent to the Secretary of War to adjust the case under the House amendment, precisely in accordance with the terms or suggestions contained in the Senate resolution, if he sees proper to do so, and the committee will not permit themselves to believe that he (the Secretary of War) would not regard the suggestions of the Senate as entitled to his respectful consideration as to the mere mode of adjustment, especially when the coördinate branch of the legislative power *does not interpose any negative or prohibitory clause in the legislation which it proposes in the substitute.*

Laws of relief, or of a remedial character, must be liberally construed. This is a settled principle by the Supreme Court of the United States; and in referring the adjudication of this case to the Secretary of War, instead of subjecting it to the tedious ordeal of subordinate and conflicting official technicality, Congress has given the highest proof of its desire to have this case settled in a spirit of liberality, and without unnecessary delay.

The committee, therefore, believing that the amendment or substitute of the House will secure to the claimants all the benefits contemplated by the original resolution of the Senate, respectfully submit the following resolution.

*Resolved*, That the amendment of the House of Representatives be concurred in.